

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Thomas Thatcher Schemkes, Brian McKenna,  
James Hammond, and Gregory Greene,  
individually and on behalf of others similarly  
situated,

Plaintiffs,

vs.

Presidential Limousine, a Nevada Company; CLS  
Nevada, LLC; a Delaware Corporation, doing  
business as CLS Transportation Las Vegas; and  
Jacob Transportation Services, LLC, a Nevada  
Company, doing business as Executive Las  
Vegas,

Defendants.

Case No.: 2:09-cv-1100-GMN-PAL

**ORDER**

AND RELATED COUNTER PARTIES.

Before the Court is Defendant/Counterclaimant Jacob Transportation Services, LLC's Motion to Sever Action pursuant to Rule 21 (ECF No. 129). Plaintiffs filed a Response, stating that they do not oppose the Motion to Sever (ECF No. 132).

The District Court has within its discretion to "sever any claim against a party." Fed. R. Civ. P. 21. The three Defendants in this action are separate entities and have no connections with each other. Only two of the four named plaintiffs have worked for Defendant/Counterclaimant Jacob Transportation. For these reasons, the Court finds that it is appropriate to sever the action against Defendant/Counterclaimant Jacob Transportation.


The District Court also has within its discretion to consolidate actions before the court that involve a common question of law or fact. Fed. R. Civ. P. 42. Another case before the Nevada District Court, case number 2:09-cv-00466-GMN-RJJ, involves the same

1 parties and common questions of law or fact against Defendant Executive Coach and  
2 Carriage. In order to manage its docket and to avoid any further delay in the proceedings of  
3 the two actions, the Court sees fit to consolidate these two actions.

4 IT IS HEREBY ORDERED that Defendant/Counterclaimant Jacob Transportation  
5 Services, LLC's Motion to Sever Action (ECF No. 129) is **GRANTED**.

6 IT IS FURTHER ORDERED that the newly severed case shall be consolidated with  
7 2:09-cv-00466-GMN-RJJ, and that case number 2:09-cv-00466-GMN-RJJ shall serve as the  
8 base case.

9 DATED this 4th day of March, 2011.

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12 Gloria M. Navarro  
13 United States District Judge  
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